



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
LIU, Yu *et al.*

Appl. No. **10/607,584**

Filed: **27 June 2002**

For: **Improved Methods and
Compositions for Capillary
Electrophoresis (CE)**

Art Unit: To be Assigned

Examiner: To be Assigned

Atty. Docket: 03501.141

Petition

Pursuant to C.F.R. § 1.47(a) Relating to Edward V. Koh

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants respectfully Petition, pursuant to 37 C.F.R. § 1.47(a) to allow the present application to be made by inventors Yu Liu, M. Parameswara Reddy and Chitra K. Ratnayake, notwithstanding the failure of inventor Edward V. Koh to join in the application. The facts relating to this matter are provided below.

1. I, Jeffrey I. Auerbach, am the attorney of record for the above-described patent application.
2. On information and belief, the inventors Yu Liu, M. Parameswara Reddy, Chitra K. Ratnayake, and Edward V. Koh jointly developed the claimed invention under the scope of their employment by Beckman Coulter Inc.
3. Inventors Yu Liu, M. Parameswara Reddy and Chitra K. Ratnayake, have executed a Declaration averring that they, and Edward V. Koh are

the joint inventors of the invention claimed in the above-described patent application.

4. On information and belief, shortly after the filing of the present application, the employment of Edward V. Koh by Beckman Coulter terminated.
5. Repeated efforts have been made to contact Edward V. Koh and to invite him to join in the application and to execute the enclosed Declaration. On information and belief, these efforts have included:
 - A. On August 19, 2003, the Legal Department of Beckman Coulter Inc. sent to Edward V. Koh a first copy of the enclosed Declaration by first class U.S. Mail addressed to Edward V. Koh's address of record: 23811 Country View Dr., Diamond Bar, California 91765 USA. On information and belief, no response has been received.
 - B. On September 16, 2003, the Legal Department of Beckman Coulter Inc. sent to Edward V. Koh a second copy of the enclosed Declaration by first class U.S. Mail addressed to Edward V. Koh's address of record: 23811 Country View Dr., Diamond Bar, California 91765 USA. On information and belief, no response has been received.
 - C. On October 13, 2003, the Legal Department of Beckman Coulter Inc. sent to Edward V. Koh a third copy of the enclosed Declaration by certified first class U.S. Mail addressed to Edward V. Koh's address of record: 23811 Country View Dr.,

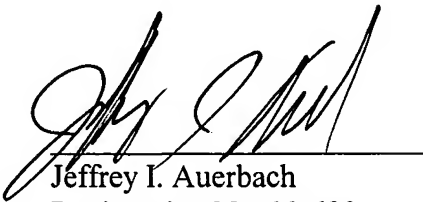
Diamond Bar, California 91765 USA. On information and belief, no response has been received.

- D. On information and belief, on October 13, 2003, Dr. Liu attempted to contact Edward V. Koh by telephone at his telephone number of record. The call was answered by a woman who refused to advise as to whether Edward V. Koh lived at the residence address of record.
6. As evidence thereof, Applicants submit copies of the August 19, September 16 and October 13, 2003, letters to Mr. Koh.
 7. Additionally, on October 13, 2003, I personally attempted to contact Edward V. Koh by telephone at his telephone number of record. The call was answered by a woman who refused to advise as to whether Edward V. Koh lived at the residence address of record.
 8. At present, Edward V. Koh has not responded to any of Applicants' numerous attempts to reach him. On information and belief, no additional forwarding or contact information is available to Applicants, and Applicants are unable to contact Mr. Koh. Efforts made by the undersigned on October 14, 2003, to find Edward V. Koh using computer-assisted telephone directories were unsuccessful.
 9. In light of such non-response, Applicants have concluded that Edward V. Koh is not reachable by mail or telephone.
 10. I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are

punishable by fine or imprisonment, or both under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully Submitted,

Date: 20- OCT- 2003
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